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Mars Khaimov Law, PLLC

VIA ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

August 17, 2023

Re: Case 1:22-cv-08695-KPF Toro v. Kate Aspen, Inc.
Request for Adjournment of Conference

Dear Judge Failla:

Plaintiff submits this letter respectfully to seek an adjournment of the post-fact discovery conference currently scheduled for August 22, 2023. Firstly, the Court should be made aware that the following discovery has taken place in this case:

- Plaintiff served its Interrogatories, Requests for Production, and Requests for Admission on May 1, 2023
- Defendant served its Interrogatories, Requests for Production, and Requests for Admission on May 19, 2023 (although these documents were labeled as being for a separate matter)
- Defendant responded to Plaintiff's requests on June 14, 2023

No other discovery has taken place thus far. The Parties are currently in the midst of substantive settlement negotiations, and therefore request a three-week adjournment of this conference for the negotiations to materialize, up to and until September 12, 2023. The Parties are hopeful that terms for a resolution of the matter will be agreed upon within those three weeks.

This is the first time this relief is being requested and both Parties consent.

We thank Your Honor for Your attention and consideration herein.

Respectfully submitted,

Mars Khaimov, Esq.
Attorney for Plaintiff

Cc: Ian Smith, Esq.





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Application GRANTED. The conference scheduled for August 22, 2023, is hereby ADJOURNED until **September 22, 2023, at 3:30 p.m.**, in Courtroom 618 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007.

The Clerk of Court is directed to terminate the pending motion at docket number 18.

Dated: August 18, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE

